

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Steffen Panzner et al.  
Serial No. : 10/081,617  
Filed : February 21, 2002  
For : AMPHOTERIC LIPOSOMES AND THEIR USE  
Art Unit : To Be Assigned  
Examiner : To be Assigned

---

October 7, 2002

Honorable Assistant Commissioner  
for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

The following sections are being submitted for this Information Disclosure  
Statement:

Sec. 1 – Preliminary Statements

Sec. 2 – Identification of Time of Filing

Sec. 4 – Statements with Respect to Listing of Information

Sec. 5 - Concise Explanation of non-English references

Sec. 6 – Statements with Respect to Copies of Listed Information Items

Accompanying this Statement

## Section 1 Preliminary Statements

Applicants submit herewith patents, patent applications, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

## Section 2 Identification of Time of Filing

This Information Disclosure Statement is being filed before the issuance of the first official action.

## Section 4 Statements with Respect to Listing of Information

A list of the patent applications and relevant publications is set forth on the attached 1 page of Form PTO-1449.

Section 5  
Concise Explanation of non-English references

WO 01/64330 - The relevance is set forth in the English abstract on the cover page of the reference

WO 00/28972 - The relevance is set forth in the English abstract on the cover page of the reference

EP 0 619 812 - the relevance is set forth in the English version of the claims, starting on page 32 of the reference

Section 6  
Statements with Respect to copies of Listed Information Items  
Accompanying This Statement

Copies of the items on Form PTO-1449 are supplied herewith. A copy of the Examination Report in the German application is also enclosed.

Respectfully submitted

NORRIS, McLAUGHLIN & MARCUS

By: 

Bruce S. Londa  
Reg. No. 33,531

BSL/ms

220 East 42nd Street  
30th Floor  
New York, New York 10017  
(212) 808-0700

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: The Hon. Assistant Commissioner for Patents, Washington, D.C. 20231 on October 7, 2002.

NORRIS, McLAUGHLIN & MARCUS, P.A.

By: 

Date: October 7, 2002  
8

**LIST OF PATENTS AND PUBLICATIONS**  
**APPLICANT'S INFORMATION**  
**DISCLOSURE STATEMENT**  
(Form PTO-1449)

Attorney Docket:  
101215-81

Serial No.  
10/081,617

Applicant:  
Steffen Panzner et al.

Filing Date:  
February 21, 2002

Group:  
To Be Assigned

**U.S. PATENT DOCUMENTS**

Examiner's Initial	Document Number	Date	Name	Class	Sub Class	Filing Date If appropriate
AA	4,891,208					
AB						
AC						

**FOREIGN PATENT DOCUMENTS**

	Document Number	Date	Country	Class	Sub Class	Translation Yes No
AD	WO 01/64330 A1	9/7/2001	PCT	B01J	13/02	
AE	WO 00/28972	5/25/2000	PCT	A61K	9/127	
AF	EP 0 169 812 B1	8/23/1989	Europe	C 07F	9/09	
AG						
AF						

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AG	Abstract of Japanese Patent Application No. 02-331417 (In English) , Filed 11/29/1990
AH	Hafez et al.: Biochim. Biophys. Acta 1463, S.107-114 (2000), Abstract
AI	Hafez et al.: Biophys. J. 79, S. 1438-46 (2000) Abstract
AJ	Tachibana et al. (1998); BBRC 251: 538-544
AK	Couvreux et al.: Journal of Liposome Research 7 (1), S. 1-18 (1997)
AL	Chu et al.: Journal of Liposome Research 4 (1), S. 361-395 (1994)
AM	Budker et al.: Nat. Biotechnol. (1996), 14 (6), S. 760-64
AN	Ropert et al.: Delivery Strategies Antisense Oligonucleotide Ther. (1995), S. 233-45
AO	

**EXAMINER:**

**DATE CONSIDERED:**

- **EXAMINER:** Initial if Reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant.
-